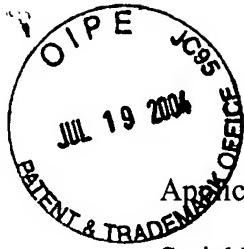


1652
JRW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Higuchi et al. Examiner: Maryam Monshipouri
 Serial No. : 10/086,913 Group Art Unit: 1652
 Filed : March 1, 2002
 For : PREVENTION AND TREATMENT OF MYCOPLASMA-ASSOCIATED DISEASES

Customer No. : 21003

RESPONSE TO RESTRICTION REQUIREMENT AND PETITION TO EXTEND TIME

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

July 15, 2004

Date of Deposit

Lisa B. Kole

Attorney Name

Lisa B. Kole

Signature

35,225

PTO Reg. No.

July 14, 2004

Date of Signature

Commissioner for Patents
 Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed May 19, 2004, please consider the following remarks. In addition, Applicants respectfully request that the period for response to the Restriction Requirement be extended for a period of one month, up to and including July 19, 2004. The Commissioner is hereby authorized to charge any fees associated with this submission, including the fee for extension of time

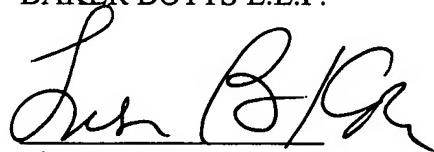
(for a small entity), to Deposit Account 02-4377. A duplicate copy of this paper is enclosed.

In response to the Restriction Requirement, Applicants elect to pursue the claims of Group I, claims 1-9, drawn to methods of treating disorders characterized by increased cell proliferation using an agent that inhibits sialic acid-mediated attachment of mycoplasma to cells. This election is made without traverse, and without prejudice to the prosecution of the subject matter of non-elected claims in other patent applications.

In response to the species election, Applicants elect species 2, methods which utilize trans-sialidase, again with traverse and without prejudice to the non-elected species.

In addition, Applicants would bring to the Examiner's attention that Dr. Schenkman, who had cloned trans-sialidase but did not participate in the invention of Group I involving methods of treatment, will be deleted as an inventor when the non-elected claims are cancelled.

Respectfully submitted,
BAKER BOTTS L.L.P.



Lisa B. Kole
PTO Reg. No. 35,225

30 Rockefeller Plaza
44th Floor
New York, NY 10012-4498

Attorneys for Applicants
(212) 408-2568